

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

Ellen Michelle Nowlin, a/ka/ Ellen  
Michelle Wheeler,

Plaintiff,

v. Case No. 15-13309

Fannie Mae a/k/a Federal National  
Mortgage Association, et al., Honorable Sean F. Cox

Defendants.

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**ORDER DENYING**  
**MOTION FOR RECONSIDERATION**

Acting through counsel, Plaintiff Ellen Michelle Nowlin a/k/a Ellen Michelle Wheeler (“Plaintiff”) filed this action in state court. Defendants removed the action to federal court.

On September 28, 2015, Defendants filed a Motion to Dismiss, that was referred to a magistrate judge for a report and recommendation pursuant to 28 U.S.C. § 636(b)(1)(B).

On March 21, 2016, Magistrate Judge Elizabeth Stafford issued a Report and Recommendation (“R&R”) wherein she recommends that Defendants’ Motion to Dismiss be granted and that this Court dismiss this action with prejudice. (Docket Entry No. 13). In an order issued on April 4, 2016, this Court adopted the R&R and dismissed this action with prejudice. A Judgment was issued that same day.

On April 25, 2016, Plaintiff filed a Motion for Reconsideration. (Docket Entry No. 17). In it, Plaintiff asks the Court to set aside the judgment and order a settlement conference.

Motions for reconsideration in civil cases are governed by Local Rule 7.1 of the Local Rules of the Eastern District of Michigan, which provides:

(3) **Grounds.** Generally, and without restricting the court's discretion, the court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by reasonable implication. The movant must not only demonstrate a palpable defect by which the court and the parties and other persons entitled to be heard on the motion have been misled but also show that correcting the defect will result in a different disposition of the case.

*See* Eastern District of Michigan Local Rule 7.1(h)(3). A motion for reconsideration does not afford a movant an opportunity to present the same issues that have been already ruled on by the court, either expressly or by reasonable implication. Nor does a motion for reconsideration afford the movant an opportunity to make new arguments that could have been, but were not, raised before the Court issued its ruling.

Unless the Court orders otherwise, no response to a motion for reconsideration is permitted and no hearing is held. Eastern District of Michigan Local Rule 7.1(h)(3). This Court concludes that, with respect to Plaintiff's Motion for Reconsideration, neither a response brief nor a hearing is necessary.

Again, in order to grant a motion for reconsideration, the movant must demonstrate a palpable defect by which the court has been misled and must also show that correcting the defect will result in a different disposition of the case. After reviewing Plaintiff's Motion for Reconsideration, this Court concludes that Plaintiff has not met that standard. If Plaintiff wished the Court to order a settlement conference, Plaintiff could have filed a motion requesting a settlement conference before this Court ruled upon Defendant's Motion to Dismiss and issued the judgment in this case.

The Court ORDERS that Plaintiff's Motion for Reconsideration is DENIED.

IT IS SO ORDERED.

S/Sean F. Cox

Sean F. Cox

United States District Judge

Dated: April 26, 2016

I hereby certify that a copy of the foregoing document was served upon counsel of record on April 26, 2016, by electronic and/or ordinary mail.

S/Jennifer McCoy

Case Manager